



City Council Agenda

Council President
Tom Boyajian

Councilmembers

Brian Calhoun
Brad Castillo, Acting President
Mike Dages

Jerry Duncan
Henry T. Perea
Cynthia Sterling

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch , CMC

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

TUESDAY, DECEMBER 2, 2003

If you would like to speak, fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on www.ci.fresno.ca.us The Council meeting can also be heard live at the same web site address.

8:30 A.M. - ROLL CALL

Invocation by Pastor Matt Cook from the Campus Baptist Church

Pledge of Allegiance to the Flag

Proclamation of "CALIFORNIA STATE UNIVERSITY FRESNO BAND DAY" - Council President Boyajian

Proclamation of "CANDLELIGHT CHRISTMAS ON HUNTINGTON BOULEVARD DAYS" - Councilmember Dages

Introduction of Fresno HeatWave Basketball Team - Councilmember Sterling

Presentation of Recognition Awards to students from District 4 - Acting President Castillo

Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person. Public testimony will not be taken on unscheduled/non-action items.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Approve minutes of November 18, 2003

Action Taken:

Councilmember Reports and Comments

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

1. **GENERAL CONSENT CALENDAR**

(All consent calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered at 2:00 p.m.

A. * **RESOLUTION** - 51st amendment to AAR No. 2003-209 appropriating \$113,700 to the Police Department for the School Resource Officer contracts with Fresno Unified School District and Central Unified School District (***Requires 5 affirmative votes***) - Police Department

Action Taken:

B. * **RESOLUTION** - 49th amendment to AAR No. 2003-209 appropriating \$70,900, and authorize the Chief of Police to enter into a three year agreement with the Fresno Unified School District for a School Community Policing Officer at Tehipite Middle School and execute related documents (***Requires 5 affirmative votes***) - Police Department

Action Taken:

1. **GENERAL CONSENT CALENDAR CONTINUED**

- C. **RESOLUTION** - Finding Hubb Systems, LLC, dba Data911, to be the sole source for Mobile Data System (MDS) hardware upgrade - Police Department
Action Taken:
1. Approve and authorize the Chief of Police to execute the Eighth Amendment to contract for upgrade of original MDS hardware, upgrade of software "per seat" licensing status to "site license" status, extension of software development schedule, interim MDS hardware maintenance
Action Taken:
 2. Approve and authorize the Chief of Police to execute the Software Enhancement Services and MDS Hardware Extended Warranty Agreement
Action Taken:
- D. * Waive a minor irregularity and award a contract to Metro Video Systems, Inc. of El Segundo, California, for Fresno Yosemite International (FYI) Airport installation of closed circuit TV (CCTV) - General Services Dept./Airports Dept.
Action Taken:
- E. * Award a contract to Electrical Equipment Sales Co., Inc. of Lafayette, California for variable frequency drives for raw sewage pumps - General Services Dept./Public Utilities Dept.
Action Taken:
- F. Authorizing the City Manager, or his designee, to enter into a Memorandum of Understanding (MOU) with the County of Fresno and the City of Clovis to participate in E-Government initiatives - Information Services Dept.
Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

- 10:00 A.M. **HEARING** regarding City of Fresno Community Facilities District No. 2, Annexation No. 58 (Final Tract Map No. 5170) - Public Works Dept.
Action Taken:
- a. **RESOLUTION** - Annexing territory to Community Facilities District No. 2, Annexation No. 58 and authorizing the levy of a special tax
Action Taken:
 - b. **RESOLUTION** - Calling a special mailed-ballot election
Action Taken:
 - c. **RESOLUTION** - Declaring election results
Action Taken:
 - d. * **BILL** - Levying a special tax for the property tax year 2003-2004 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 58, Final Tract Map No. 5170
Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:10 A.M. * RESOLUTION - Ordering the vacation of "N" Street and the "N-O" alley between Ventura and Freeway 41, Santa Clara Street between "N" and "O" Streets, a 20-foot wide alley along Freeway 41 between the "M-N" alley and the "N-O" alley, a portion of the "M-N" alley between Santa Clara Street and Freeway 41, and a sewer and water easement in Lot 6 in Block 122 of the City of Fresno - Public Works Dept.

Action Taken:

10:15 A.M. Presentation by Adrian Moore, from the Reason Public Policy Institute, regarding "Cleaning the Air in the San Joaquin Valley" - Councilmember Duncan

10:30 A.M. Presentation regarding October 24 Project Team Clean Air Report - Councilmember Calhoun

10:45 A.M. * Authorize program documents and contract with Pacific Gas and Electric and Powerlight Corporation to construct Municipal Service Center Solar Energy System for \$4,725,000, and to receive self-generation incentive funds of \$2,062,500 - General Services Dept.

Action Taken:

a. **RESOLUTION** - Official intent to reimburse certain expenditures from proceeds of a project rebate and indebtedness

Action Taken:

b. * **RESOLUTION** - 53rd amendment to AAR No. 2003-209 appropriating \$9,450,000 to the General Services Department for construction of the Municipal Service Center Solar Energy System **(Requires 5 affirmative votes)**

Action Taken:

2:00 P.M. #1 **ADOPT CONTESTED CONSENT ITEMS**

2:00 P.M. #2 **CLOSED SESSION**

A. **CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION** - Government Code Section 54956.9, Subdivision (c)

1. **Case Name:** City of Fresno v. State of California

Action Taken:

2:00 PM - 4:00 PM **WORKSHOP** regarding Local, State, and Federal Housing Requirements - City Attorney's Office/Planning & Development Dept.

2. **GENERAL ADMINISTRATION**

3. **CITY COUNCIL**

A. Request status report on the business plan for a long-term feasibility study of the Chaffee Zoo - Councilmember Dages

Action Taken:

3.

CITY COUNCIL CONTINUED

- B. Direct staff to remove magnolia trees in front of 4937 E. Townsend and 4949 E. Heaton, as the trees are causing problems for the property owners - Councilmember Dages

Action Taken:

1. Request Council direction to staff for residential street tree removal - Public Works Dept.

Action Taken:

- C. Discussion and action regarding a plan by PG&E to implement a 33% rate increase on gas - Councilmembers Calhoun and Dages

Action Taken:

1. **RESOLUTION** - Proclaiming its concern about the detrimental impacts to the citizens of Fresno that could result from a severe increase in residential gas prices if charged and implemented by Pacific Gas and Electric

Action Taken:

- D. Direct staff to establish a City Council Youth Advisory Board - Councilmember Perea

Action Taken:

4.

**PUBLIC COMMENT PERIOD - No Council action except to place on future agenda.
Presentation limited to three (3) minutes.**

- A. Scheduled Public Comment -

1. Appearance by William Milton to discuss the response time to reach a fire and two alarms at various residences in District 1

- B. **UNSCHEDULED COMMUNICATION** - Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Dec.	3 -	4:00 PM - 7:00 PM	JOINT WORKSHOP re: Regional Job Initiative (<i>Location - University Business Center, Room 194, Fresno State campus</i>)
Dec.	9 -	10:00 A.M.	HEARING re: vacation of Palm, Safford alley betw. Franklin and "H" Street, R.I. No. 1031-D
Dec.	9 -	10:15 A.M.	HEARING re: Rezone Appl. No. R-03-21, property located at the northwesterly side of Figarden Drive between N. Santa Fe and W. Sierra, filed by LATCO (to be continued)
Dec.	9 -	10:30 A.M.	HEARING re: CFD No. 2, Annexation No. 59, Tract No. 5135
Dec.	9 -	10:40 A.M.	HEARING re: Rezone Appl. No. R-03-52, filed by Lisa Quimet
Dec.	9 -	2:30 P.M.	WORKSHOP re: Code Enforcement (Meeting Room "A") -2165N
Dec.	9 -	5:15 P.M.	HOLIDAY TREE LIGHTING CEREMONY- (<i>2nd floor foyer</i>)
Dec.	10 -	12:30 PM - 4:30 PM	WORKSHOP re: Leadership and Communication (Location to be determined)
Dec.	16 -	10:00 A.M.	HEARING re: Rezone Appl. No. R-03-42, filed by Roberto J. Sepulveda
Dec.	16 -	10:15 A.M.	HEARING re: Plan Amendment No. A-03-02, Rezone Appl. No. R-03-15, filed by J. Margolin
Dec.	16 -	10:30 A.M.	HEARING to consider resolution of necessity for three parcels of real property located at the intersection of Shaw and Cedar Avenues - Public Works
Dec.	16 -		WORKSHOP re: Development of Public Arts Ordinance
Dec.	23 -	NO MEETING - CHRISTMAS WEEK	
Dec.	30 -	NO MEETING - NEW YEAR'S WEEK	
Jan.	6 -	10:00 A.M.	HEARING re: CFD No. 2, Annexation No. 60, Final Tract Map No. 5098
Jan.	6 -	10:15 A.M.	HEARING re: Plan Amendment No. A-03-10, Rezone Appl. No. R-03-54, filed by McCaffrey Group
Jan.	20 -	10:00 A.M.	HEARING re: CFD No. 2, Annexation No. 61, Final Tract Map No. 4598